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SENATE BILL 2586 By
Herron

HOUSE BILL 2918
By Turner (Ham)

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3;
Title 33, Chapter 8, Part 1 and Title 68, Chapter 1, Part 1,
relative to substance abuse.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, is amended by adding the
following language as a new, appropriately designated part:

4-3-__01. To promote the highest level of effectiveness and efficiency of state
funded services to prevent and treat substance abuse by adults and children and to
mitigate the effects of substance abuse on family members, there is created the
department of substance abuse prevention and treatment.

4-3-__02. The department of substance abuse prevention and treatment shall be
under the charge and general supervision of the commissioner of substance abuse
prevention and treatment. The commissioner shall be appointed in the same manner as
other commissioners and shall have the same official status as other commissioners.
The commissioner shall hold office at the pleasure of the governor, and the
commissioner's compensation shall be fixed by the governor and paid from the
appropriation available to such department.

4-3-__03. To promote the highest level of efficiency and effectiveness in the
utilization of limited state resources, it shall be the duty of the department to develop,
implement, coordinate, monitor, examine and/or otherwise administer all policies,

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programs, projects, grants, payments and contracts through which substance abuse prevention and treatment services are provided by, or funded through, state government for adults and children and their family members. It shall be the duty of the department to carry out the purposes and programs pertaining to alcoholism and drug addiction in title 33, chapter 8. With respect to compulsive behavioral disorders that often lead to substance abuse, including, but not necessarily limited to anorexia nervosa and bulimia nervosa, it shall be the duty of the department to develop, implement, coordinate, monitor, examine and/or otherwise administer all policies, programs, projects, grants, payments and contracts through which services are provided by, or funded through, state government for the prevention and treatment of such compulsive behavioral disorders.

4-3-__04. As used in this part, "substance" means any drug, including controlled substances, alcohol, drugs legally available only by means of prescription, drugs legally available without prescription and other chemicals, vapors or substances that are inhaled, ingested or injected contrary to the generally accepted usage for which such chemicals, vapors or substances are manufactured and sold.

SECTION 2. Tennessee Code Annotated, Section 4-3-101, is amended by inserting the following language as a new, appropriately designated item:

() Department of substance abuse prevention and treatment;

SECTION 3. Tennessee Code Annotated, Section 4-3-104, is amended by adding the following language as a new, appropriately designated item:

() References to the bureau of alcohol and drug abuse services of the department of health and references to the division of alcohol and drug abuse services of the department of mental health and mental retardation shall be deemed references to the department of substance abuse prevention and treatment.

SECTION 4. Tennessee Code Annotated, Section 4-3-111, is amended by inserting the following language as a new, appropriately designated item:

() Commissioner of substance abuse prevention and treatment, for the department of substance abuse prevention and treatment;

SECTION 5. Tennessee Code Annotated, Section 4-3-113, is amended by adding the following language as a new, appropriately designated item:

() References to the chief of the bureau of alcohol and drug abuse services in the department of health and references to the director of the division of alcohol and drug abuse services in the department of mental health and mental retardation shall be deemed references to the commissioner of substance abuse prevention and treatment.

SECTION 6. Tennessee Code Annotated, Title 33, Chapter 8, Part 1, is amended by deleting the words “department of mental health and mental retardation” and by substituting instead the words “department of substance abuse prevention and treatment”.

SECTION 7. To promote the highest level of efficiency and effectiveness in the utilization of limited state resources, all fiscal, property, personnel and other resources, (utilized exclusively or primarily by departments of state government to develop, implement, coordinate, monitor, examine and/or otherwise administer policies, programs, projects, grants, payments and contracts through which substance abuse prevention and treatment services are provided by, or funded through, state government for adults and children and/or to mitigate the effects of substance abuse on family members), shall be transferred to and consolidated within the department of substance abuse prevention and treatment. Implementation of the provisions of this section shall not result in any reduction of seniority, salary or benefits for any state employee who is transferred to the department of substance abuse prevention and treatment.

SECTION 8. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the

act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 9. This act shall take effect July 1, 1998, the public welfare requiring it.